

**THIS ORDER IS SIGNED AND ENTERED.**



**Dated: April 06, 2011**

**Hon. Robert D. Martin  
United States Bankruptcy Judge**

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**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

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In Re:

CASE NO. 11-10364-RDM

ARTHUR LOREN TILLEY  
d/b/a ART TILLEY TRUCKING, LLC  
a/k/a ART TILLEY INSURANCE

CHAPTER 7

Debtor.

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**ORDER GRANTING U.S. BANK, NATIONAL ASSOCIATION,  
F/K/A FIRSTAR BANK, N.A.  
RELIEF FROM AUTOMATIC STAY AND ABANDONMENT**

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This case came before the Court on the Motion for Relief from Automatic Stay and for Abandonment (the "Motion") filed by U.S. Bank, National Association, f/k/a Firstar Bank, N.A. (hereinafter "Creditor"), dated March 18, 2011.

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The Court, after reviewing the record in this case, including the above-mentioned Motion, finds in this matter that notice and opportunity for hearing to the parties in interest was appropriate in the circumstances, that no objections were timely raised against said Motion; that Creditor seeks an Order terminating the stay of proceedings under 11 U.S.C. § 362 and requiring the Trustee to abandon the estate's interest in the Collateral under U.S.C. § 554, so as to allow Creditor (and its principals, successors, assigns and/or the holder of the mortgage) to proceed with foreclosure and to enforce rights, interests, claims and liens against the property commonly known as 1422 Nevada Road, Madison, Wisconsin 53704, owned by Arthur Loren Tilley (herein the "Debtor"); that it appears the Debtor has no equity in the property subject to the loan and security documents described in the Motion; that said property is not necessary for an effective reorganization of the Debtor or his estate; the mortgage interest and lien in and against the subject property cannot be adequately protected by the Debtor or the bankruptcy estate; that the property is burdensome or of inconsequential value and benefit to the bankruptcy estate; and that Creditor should be allowed the relief it seeks. Therefore, it is hereby

**ORDERED:**

That the Motion for Relief from Automatic Stay and for Abandonment filed by U.S. Bank, National Association, f/k/a Firststar Bank, N.A. ("Creditor"), and dated March 18, 2011, be and hereby is granted; that the stay of proceedings under 11 U.S.C. § 362 is terminated, so as to allow Creditor (and its principals, successors, assigns and/or the holder of the mortgage) to enforce rights, interests, claims and liens in and against the property commonly known as 1422 Nevada Road, Madison, Wisconsin 53704, owned by Arthur Loren Tilley (the "Debtor"), subject to the real estate mortgage dated December 21, 2001, recorded on January 8, 2002, in the Office of the Register of Deeds for Dane County, as Document No. 3426538, in accordance with the

terms of the loan and security documents and applicable state law, including but not limited to proceedings to foreclose and liquidate the property, and the application of the proceeds to the indebtedness owed by the Debtor; that the Trustee abandon the estate's interest in the above-referenced property and the entry of this Order shall constitute said abandonment pursuant to 11 U.S.C. § 554;

IT IS FURTHER ORDERED that the Court waives the 14-day stay regarding orders granting a Motion for Relief from Automatic Stay, as referenced in Federal Rule of Bankruptcy Procedure 4001(a)(3).

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